

Robert L. Bowman  
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Telephone: (865) 342-0432; (865) 805-7687  
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*Pro Se*

**FILED**  
SEP X 6 2013  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ANGEL FRALEY; PAUL WANG; SUSAN  
MAINXER; JAMES H. DUVAL, a minor, by  
and through JAMES DUVAL, as Guardian ad  
Litem; and W.T., a minor, by and through  
RUSSELL TAIT, as Guardian ad Litem;  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

FACEBOOK, INC., a corporation; and DOES  
1-100,

Defendants.

Case No. CV 11-01726 RS  
Declaration of Robert L. Bowman

**DECLARATION OF ROBERT L. BOWMAN**

1. My name is Robert L. Bowman. I am over the age of eighteen (18) years, and I am competent to give this declaration. The facts contained in this declaration are of my own personal knowledge.

2. I filed a Notice of Objection, Intention to Appear, and Request to Be Heard ("Objection") in this civil action on May 2, 2013. After that, I called Plaintiff's counsel, Robert

S. Arns ("Mr. Arns"), Jonathan E. Davis ("Mr. Davis"), and Jonathan Jaffe ("Mr. Jaffe"), three or four times to discuss a possible resolution of the Objection. None of my telephone calls were returned by them.

3. On May 17, 2013, I called Mr. Arns and subsequently participated in a conference call with him and Mr. Jaffe. The basic substance of that conversation is reflected in the declaration Mr. Arns and Mr. Jaffe filed with the court on June 7, 2013. (R. 337 and 338.) I informed both attorneys that I was willing to dismiss and withdraw the Objection in return for monetary compensation, but I also clearly stated that I would consider dismissing or withdrawing the Objection if the parties agreed to exclude the claims of citizens and residents of the State of Tennessee from the release. Their declarations accurately reflect that I did not request a specific dollar amount or state that I was requesting monetary compensation for myself. I told the attorneys, as stated in their declaration, that I had never filed an objection before and did not know what to ask for. I told Mr. Arns and Mr. Jaffe I knew someone at the Tillery firm in St. Louis, which had also filed an objection, and I may check with someone there to see how much to ask for to resolve the matter. Again, I said that non-monetary relief may also be requested.

4. On May 20, 2013, I e-mailed a proposed stipulation, which generally sought to keep settlement discussions privileged and confidential to Mr. Arns and Mr. Davis. Mr. Arns wrote back later that day and declined the proposal.

5. On June 7, 2013 at 4:03 p.m. EST (1:03 p.m. PST, 01:13 Military), I e-mailed a proposed settlement demand to Mr. Arns, Mr. Davis, and defense counsel, Michael G. Rhodes ("Mr. Rhodes"). The letter says:

Dear Mr. Arns and Mr. Rhodes:

As you know, I filed an objection to the proposed settlement in the above captioned matter. My objection is based on manifold reasons, but I am primarily concerned about the scope of the release and its effect on statutory and common law claims possessed by citizens and residents of the State of Tennessee.

I believe it is in everyone's best interests to have the settlement approved, but Tennesseans should receive more relief than is currently proposed due to the strong privacy rights afforded to us by the General Assembly and common law. Accordingly, I make the following settlement offer to resolve my objection:

1. Common law and statutory claims currently possessed by citizens and residents of Tennessee are excluded from the release; or
2. A portion of the Net Settlement Fund is specifically allocated to public institutions in Tennessee to be used for promoting internet privacy and safety for children. I specifically request that Fifty Thousand Dollars (\$50,000.00) of the Net Settlement Fund be designated to create an internet privacy and safety curriculum at Bearden Middle School (\$25,000.00) and Bearden Elementary School (\$25,000.00). Both of these schools are public institutions operated by the Knox County, Tennessee, Board of Education.

Please discuss the foregoing settlement offer with your clients or class representatives and respond to me no later than the close of business on June 14, 2013. Thank you.

A copy of the letter is attached as **Exhibit 1**.

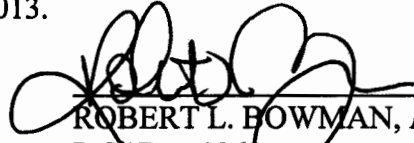
6. Later that afternoon, Mr. Arns and Mr. Jaffe filed their declarations. (R. 337 and 338.) The Docket Activity Report for this case shows that the declarations were filed at approximately 7:22 p.m. EST (4:22 p.m. PST, 16:22 Military), three hours after my settlement demand was sent. Over seven hours after receiving the settlement demand, Plaintiffs filed their Response to Objections to Settlement and Fee Motion at 11:08 p.m. EST (8:08 p.m. PST, 18:08 Military). A copy of the Docket Activity Report is attached as **Exhibit 2**.

7. Although Plaintiffs knew for over seven hours that I was not personally seeking monetary compensation to resolve my objection, Plaintiffs say on page 5 of the Response that “Objecter Bowman’s only interest in bringing forward objections is his personal financial gain.” Plaintiffs have not amended their Response or made any effort to correct the record prior to the filing of this reply. Indeed, it has never been my intent to personally profit from my objection. As clearly stated in the settlement demand letter, the beneficiaries of any monetary compensation received via the Objection are two public schools operated by the Knox County, Tennessee Board of Education. My wife and I are strong advocates and proponents of public education, and are personally responsible for soliciting approximately Seventy Thousand Dollars (\$70,000.00) in private and public donations to Bearden Elementary School (“BES”) over the last four years. Indeed in April 2013, I facilitated a Twenty Thousand Dollars (\$20,000.00) contribution to BES to convert a supply room into a computer laboratory. My settlement demand was intended to help develop an “internet privacy and safety curriculum” at BES. Bearden Middle School (“BMS”), which is also a public school operated by the Knox County, Tennessee Board of Education, is the other intended beneficiary of the settlement demand.

8. I received notice of Plaintiffs’ Response when I reviewed the docket sheet for the case on Pacer on or about June 11, 2013, Plaintiffs did not serve a copy of the Response on me under Fed. R. Civ. P. 5.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 24<sup>th</sup> day of June, 2013.



ROBERT L. BOWMAN, *Pro Se*  
P.O. Box 1363  
Knoxville, TN 37901-1363  
Telephone No. (865) 342-0432  
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E-mail: [rlbowman@kramer-rayson.com](mailto:rlbowman@kramer-rayson.com)

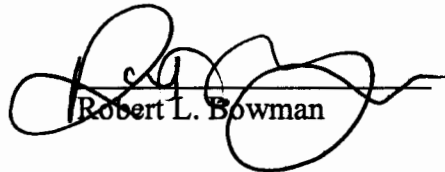
**CERTIFICATE OF SERVICE**

I hereby certify that on this the \_\_\_\_\_ day of June, 2013, a true and exact copy of the foregoing was served by First Class U.S. Mail, postage prepaid, and by e-mail to the following:

Fraley v Facebook, Inc. Settlements  
c/o GCG  
P.O. Box 35009  
Seattle, WA 98124-1009  
[GCG@fraleyfacebooksettlement.com](mailto:GCG@fraleyfacebooksettlement.com)

Robert S. Arns, Esq.  
The Arns Law Firm  
515 Folsom Street, 3rd Floor  
San Francisco, CA 94104  
E-mail: [rsa@arnslaw.com](mailto:rsa@arnslaw.com)

Michael G. Rhodes, Esq.  
Colley, LLP  
101 California Street, 5th Floor  
San Francisco, CA 94111  
E-mail: [mrhodes@colley.com](mailto:mrhodes@colley.com)



Robert L. Bowman



**Robert Bowman**

---

**From:** Robert Bowman  
**Sent:** Friday, June 07, 2013 4:03 PM  
**To:** rsa@arnslaw.com; mrhodes@cooley.com  
**Cc:** jed@arnslaw.com  
**Subject:** Fraley v. Facebook  
**Attachments:** copier@kramer-rayson.com\_20130607\_140544.pdf

Gentlemen:

Good afternoon. Please see the attached settlement demand for the above-captioned matter. Thank you. Have a great weekend!!

Robert L. Bowman  
Kramer Rayson LLP  
P.O. Box 629  
Knoxville, TN 37901  
(865) 342-0430  
(865) 522-5723 fax

Kramer Rayson LLP Attorney Information

This email is sent subject to the Kramer Rayson LLP Electronic Communications Policy.

-----Original Message-----

From: [copier@kramer-rayson.com](mailto:copier@kramer-rayson.com) [mailto:[copier@kramer-rayson.com](mailto:copier@kramer-rayson.com)] On Behalf Of copier@  
Sent: Friday, June 07, 2013 3:02 PM  
To: Robert Bowman  
Subject: Scanned image from MX-2600N

Reply to: [copier@kramer-rayson.com](mailto:copier@kramer-rayson.com) <[copier@kramer-rayson.com](mailto:copier@kramer-rayson.com)> Device Name: Not Set Device Model: MX-2600N  
Location: 25th Floor Mailroom

File Format: PDF MMR(G4)  
Resolution: 300dpi x 300dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

Adobe(R)Reader(R) can be downloaded from the following URL:

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<http://www.adobe.com/>

**KRAMER RAYSON LLP**  
ATTORNEYS AT LAW

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JOHN E. WINTERS  
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R.R. KRAMER (1888-1966)

June 7, 2013

[rlbowman@kramer-rayson.com](mailto:rlbowman@kramer-rayson.com)  
Direct Dial (865) 342-0430

Robert S. Arns, Esq.  
The Arns Law Firm  
515 Folsom Street, 3rd Floor  
San Francisco, CA 94104

Michael G. Rhodes, Esq.  
Colley, LLP  
101 California Street, 5th Floor  
San Francisco, CA 94111

Re: Angel Fraley, et al. v. Facebook, Inc., a corporation; and DOES 1-100  
United States District Court, Northern District of California,  
San Francisco Division  
Case No. CV 11-01726 RS

Dear Mr. Arns and Mr. Rhodes:

As you know, I filed an objection to the proposed settlement in the above captioned matter. My objection is based on manifold reasons, but I am primarily concerned about the scope of the release and its effect on statutory and common law claims possessed by citizens and residents of the State of Tennessee.

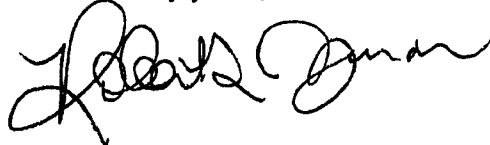
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Robert S. Arns, Esquire  
Michael G. Rhodes, Esq.  
June 7, 2013  
Page 2

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Please discuss the foregoing settlement offer with your clients or class representatives and respond to me no later than the close of business on June 14, 2013. Thank you.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert L. Bowman", written in a cursive style.

Robert L. Bowman

RLB:csp



## Docket Activity Report

U.S. District Court -- California Northern District

Report Filed Period: 6/1/2013 - 6/15/2013

Case Number/Title	Dates	Category/ Event	Docketed by	Notes
3:11-cv-01726-RS Fraley et al v. Facebook, Inc.	Entered: 06/06/2013 13:03:15 Filed: 06/06/2013	Category: misc Event: Objection Document: <u>335</u>	R. Arns Type: aty	Cause: 28:1446 Petition for Removal NOS: Other Statutory Actions Office: San Francisco  Presider: Richard Seeborg Jury demand: Plaintiff Case Flags: ADRMOP E-Filing ProSe RELATE
	Entered: 06/07/2013 16:19:44 Filed: 06/07/2013	Category: motion Event: Settlement Document: <u>336</u>	R. Arns Type: aty	
	Entered: 06/07/2013 16:22:27 Filed: 06/07/2013	Category: oth_sup Event: Declaration in Support Document: <u>337</u>	R. Arns Type: aty	
	Entered: 06/07/2013 16:30:48 Filed: 06/07/2013	Category: oth_sup Event: Declaration in Support Document: <u>338</u>	R. Arns Type: aty	
	Entered: 06/07/2013 16:42:56 Filed: 06/07/2013	Category: oth_sup Event: Declaration in Support Document: <u>339</u>	R. Arns Type: aty	
	Entered: 06/07/2013 16:51:03 Filed:	Category: oth_sup Event: Declaration in Support Document: <u>340</u>	R. Arns Type: aty	

**EXHIBIT 2**

	06/07/2013			
	<i>Entered:</i> 06/07/2013 16:55:21 <i>Filed:</i> 06/07/2013	<i>Category:</i> oth_sup <i>Event:</i> Declaration in Support <i>Document:</i> <u>341</u>	R. Arns <i>Type:</i> aty	
	<i>Entered:</i> 06/07/2013 16:58:43 <i>Filed:</i> 06/07/2013	<i>Category:</i> oth_sup <i>Event:</i> Brief <i>Document:</i> <u>342</u>	R. Arns <i>Type:</i> aty	
	<i>Entered:</i> 06/07/2013 18:08:15 <i>Filed:</i> 06/07/2013	<i>Category:</i> oth_sup <i>Event:</i> Brief <i>Document:</i> <u>343</u>	R. Arns <i>Type:</i> aty	
	<i>Entered:</i> 06/07/2013 18:42:03 <i>Filed:</i> 06/07/2013	<i>Category:</i> respm <i>Event:</i> Opposition/Response to Motion <i>Document:</i> <u>344</u>	M. Rhodes <i>Type:</i> aty	
	<i>Entered:</i> 06/14/2013 14:44:53 <i>Filed:</i> 06/14/2013	<i>Category:</i> respm <i>Event:</i> Reply to Opposition/Response <i>Document:</i> <u>345</u>	R. Arns <i>Type:</i> aty	
	<i>Entered:</i> 06/14/2013 14:49:04 <i>Filed:</i> 06/14/2013	<i>Category:</i> oth_sup <i>Event:</i> Declaration in Support <i>Document:</i> <u>346</u>	R. Arns <i>Type:</i> aty	
	<i>Entered:</i> 06/14/2013 14:53:59 <i>Filed:</i> 06/14/2013	<i>Category:</i> oth_sup <i>Event:</i> Declaration in Support <i>Document:</i> <u>347</u>	R. Arns <i>Type:</i> aty	
	<i>Entered:</i> 06/14/2013 15:05:09 <i>Filed:</i> 06/14/2013	<i>Category:</i> oth_sup <i>Event:</i> Declaration in Support <i>Document:</i> <u>348</u>	R. Arns <i>Type:</i> aty	
	<i>Entered:</i> 06/14/2013 22:59:08 <i>Filed:</i> 06/14/2013	<i>Category:</i> oth_sup <i>Event:</i> Declaration in Support <i>Document:</i> <u>349</u>	M. Rhodes <i>Type:</i> aty	
	<i>Entered:</i>	<i>Category:</i> oth_sup	M. Rhodes	

	06/14/2013 23:02:22 Filed: 06/14/2013	Event: Declaration in Support Document: <u>350</u>	Type: aty	
	Entered: 06/14/2013 23:34:34 Filed: 06/14/2013	Category: oth_sup Event: Brief Document: <u>351</u>	M. Rhodes Type: aty	

### Selection Criteria for Report

<b>Case number</b>	3:11-cv-1726
<b>Filed Date</b>	6/1/2013 - 6/15/2013
<b>Entered Date</b>	All
<b>Office</b>	All
<b>Nature of Suit</b>	All
<b>Cause</b>	All
<b>Case type</b>	All
<b>Case flags</b>	All
<b>Open Cases</b>	No
<b>Closed Cases</b>	No
<b>Event Category</b>	All
<b>Docket Text</b>	summary
<b>Sort by</b>	case number
<b>Total Number of Docket Entries: 17</b>	

PACER Service Center			
Transaction Receipt			
06/21/2013 13:59:19			
<b>PACER Login:</b>	kr0029	<b>Client Code:</b>	
<b>Description:</b>	Docket Activity Report	<b>Search Criteria:</b>	3:11-cv-01726-RS Filed From: 6/1/2013 Filed To: 6/15/2013
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.30